G. R. S. IX-5]

Previous references.

File No. 115-16.

1916.

Serial Nos. 1-8

(Inam)

Later references.

Inam 56-26-1-4
" 340-26-1-14
" 135-31-3-10.
" 278-34-1-2
" 129-39-1-3.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-8.

Part B for Aug. 1917.

SUBJECT.

Disposal by open competion of the lease of inam (coprt.) S. No. 202. endowed to Srikakulam Easwara Devasthanam temple in the Davangere Taluk.

To, Dy. Commrs of Bellary & Inam Supdt.

No. 517-25. Dy. 29. 8. 17.

Deprecating the present system of leasing out temple lands on indefinite tenures etc & directs that suitable action may be taken for renewing the lands for definite periods in the best advantage of the institutions concerned

W D 88—GPB—50,000—24-7-16

D. E. Appadurai.
R. 1011 D. 12-9-17.

My 115 46-1-8. C

G. R. S. 11] 1916.

GENERAL AND REVENUE SECRETARIAT.

Mujrai)

NOTES

File No. 115/1916

FILE HEADING.

Disposal by open competition of the lease of inam (orgl-) S. No. 202 endowed to Lokikere Eswara Devaru Temple in the Davangere Taluk.

From

Pujari Jurusappa of Lokikere Village.

No. Petition Dated 8-8-916 Received

Diary No. 283	Enclos. 4	Spare Copies. –	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Appeals against the Dy. Commrs. order directing that as the appellant failed to keep the temple building in proper repair in spite of increased profits from the land, the lease of the land may be disposed of by open competition –

NOTES AND ORDERS.

C.D. The appeal petition is duly stamped – Copies of the Dy. Commrs. orders appealed against have been produced. The appeal is within time – the appellant appro-

NOTES—First Sheet.

GPB—26,100 - 8 8-11

(2

G. R. S. 12]

General and Revenue Secretariat. | File No. 115 of 1916.

Serial No.

The Rev. Commr. in the matter, but on his subsequent representation that the matter is one within the competency of the Muz. Deptt, it has been struck off the file of the Rev. Commrs. Office (Vide orgl. endt. dy 7.8.16 filed with the petition).

In the inam extract filed with the appeal, dny no. 202 is mentioned as Devadaya inam and is intended for Vandadeepam of Eswara Devam of (Lokikere) Village. It is mentioned in col. 15 that the villagers administer the Temple affairs and that the land is enjoyed by Pujari Jnanmakal (probably the present appellant).

The Dy. Commrs. order says that the land is no personal inam to the pujari, that the Pujari failed to pay amounts for repairs to the insttn. though he was getting increased profits from the land. He order directs that the lease may be dtd. disposed of by open competition.

The petitioner states that his ancestors from time immemorial, have been in the undisturbed enjoyment of the land, that Temple building is built of pure stone which do not require any repairs, and

NOTE—Contn. sheet

GPB—70,000—17 12 15

(3

G. R. S. 12]

General and Revenue Secretariat. File No. of 191 .

Serial No.

if he is asked to do any repairs, he is ready to do them. He prays that on a perusal of the records, the order appealed against may be cancelled, and that pending the disposal of his appeal petition, the execution of the Dy Commrs order may be stayed.

In para 5 of his appeal petition, the apltt states that he applied to the Revl. Commr for a stay order when he presented his first appeal to that officer-

Submitted.
MV(Rtd)
10·8·1916

In his order dt 5.9.1916, The Dy. Commr says that one Nanjundappa offered a cash nuzzur of Rs 68/ during the auction Sale, and that the Land records be left in his possession from 1916-17.

as it appears to be hard that the petitioner should be deprived of the inam lands which himself and his ancestors have long been in enjoyment, the records may, if approved, be called for, as prayed for by the petr and a stay order also issued as well.

SD
11/8/16

In the circumstances of the case, stay of further proceedings

NOTE—Contn. sheet

GPB -70 000—17 12 15

G. R. S. 12]

General and Revenue Secretariat. | File No. 115 of 1916.

Serial No

may be ordered pending disposal of the case and a report with records may be called for

Dy Commr

Ker 16.8.16

1848
16 8 16

Ker 19 8 16

For draft

Submd. with 2 D/Cs for approval.

NW(RW) 19.8.16.

89 21/8

appl

Ker 21.6.16

2 Nos 574 dt 22.8.16, to the Dy Comr of Chitaldroog, for the above for report with records.

No 575 dt 22.8.16, to the petr, informing him of the above

Sms

3. From the Dy. Commr, Chitaldroog Distt., Letter no. 122 dt 2.9.1916.

Submits report called for in 88.2.

The Dy. Commr's letter explains the facts of the case in detail.

A draft to the Dy Comr calling for an extract of the Inam report is

NW(RW) 2.9.1916

for appl. or other orders

89 9/9

All Ker 7.9.

B. noted 11.8. 16 A

(Paper under disposal)

NOTE—Contn. sheet

GPB—70 000—17 12 15

G. R. S. 12]

General and Revenue Secretariat.

File No. 115 of 1916.

Serial No.	
4	No 818 dt 16.10.16, to the Inam Supdt calls for an extract of the Inam register pertaining to the survey nos in question
5.	From, the Supdt of Inam Settlements in Mysore, Letter no 48 dt 31-10-1916. Submits a copy of the Inam settlement register pertaining to the grant of S.no.202 of Lokikere Village, as inam for maintaining Nandadeepa in the Eshwara Devasthana Temple.

Fg. 0

The case will be posted for hearing if directed.

M (HC)
3-11-1916.

(Posted to the 21-11-1916)

Put the case and issue notices to parties

Sd/-
3.11.16

No. 1138 dt 8/11/16

Submitted with notices to the 21st inst.

M (HC)
8.11.16.

8/11/16

Sd/-
8.11.16

The Dy Commr's report is clear and reasoned. The new arrangement would mean a profit of Rs 68 to the temple which is a good deal less

NOTE—Contn. sheet.

GPB -70,000—17 12 15

(6

G. R. S. 12]

General and Revenue Secretariat. | File No. 115 of 1916.

Serial No.

forego me particularly as the temple is in need of repairs
(Mr. Member)
Sd
20.12.16

This case was heard by the Hon'ble Member to day
21-11-16

Mr. M. R. Varadachariar advocate for the appellant appeared and argued the case. The respondent was present in person. Order reserved
Sd
24.11.16.

792/24.11

Submd to Hon'ble Member for orders
Sd
24.11.16

NOTE—Contn. sheet.

(PB—70 000—17 12 15

G. R. S. 12]
General and Revenue Secretariat.

File No. 115 of 1906

6

Order

Serial No.

28/2/17

[illegible] 4/3/17

[illegible]

[illegible]

[illegible]

G. R. S. 12]
General and Revenue Secretariat.

File No. 115 of 190

18

Serial No.

Office note

The present case ~~is~~ concerns [illegible] ~~is~~ [illegible] ~~is~~ [illegible] ~~is~~

WD 1233—GPB—60 000—1 12-16—S

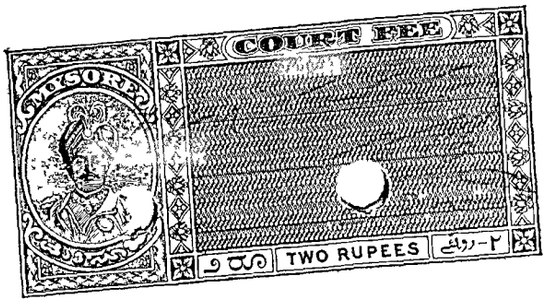
(9

G. R. S. III-2]

General and Revenue Secretariat. | File No. 45 of 191 6

Serial No.	
LIV	Submtd. with a Dft. circular order and a Dft. endorsement. for appl. (Endt approved)
* No: 446 & 20/8/17.	NW (RA) 15-8-17 — ann 16/8/17 the Cir: order may be approved.
47	(Secy) 28 16/8/17
	Put up clean draft. for 18-8-17
LIII	Submitted with a clean draft — ann 21/8/17 Draft may be approved.
764 24/8	(First Member) 28. 22/8/17
	Draft approved by the first member with slight Bos addition 24/8 — ann 28. 25/8
8	No: 517-25 & 29.8.17, 2 the Secy to Govt & Dirs & Mines Suptd deprecating the present practice of leasing out temple lands on indefinite terms & directing that suitable action may be taken for renewing the leases for definite pds & to the best advantage of the Devasthanams

NOTE—Contn. sheet.



To

G. Aravamudu Aiyangar, Esq., B.A., B.L.,
Secretary, Government of His Highness
the Maharaja of Mysore, Muzrai Department,
BANGALORE.

283
115-16

Sir,

The humble petition of Pujari Thuruvappa, a resident of Lokikere Village, Davanagere - Taluq, Chitaldroog District, most respectfully sheweth:

1. That your humble petitioner respectfully begs leave to state that his ancestors, from time immemorial, have had been in an undisturbed prescriptive enjoyment - of the land bearing Survey (Original) No.202, Re Survey No.205, granted to the temple Eeswara Devaru, situate in the said village of Lokikere, as Inamthi, for the support of the Nanda Deepam within the said Temple, That the land under reference belongs to be Devara Inamthi may be well understood from the Survey Inam Settlement Accounts.

2. That after the demise of his father about thirty years ago, or even more, he has been in the possession and enjoyment of the said land in question and that he has been discharging his duties to the best of his abilities.

3. That during the time of the Inam Settlement, i.e., about the year 1848, subsequent addition of a Cirkar land - said to have been owned by the same rayat (petitioner) and - invariably designated as "Nandadeepada Hola", was made with - the one already left to the Eeswara Devaru as Inamthi, and -

the

the same has very clearly been dealt with in the annexed enclosures, and a patient perusal of the facts cited - therein, will better convince your honour than detailed here.

4. That while matters stood thus, some people, - who are also residents of the said Village Lokikere, upon the instigation of such of the persons who are in - very inimical terms with the petitioner, and who are, in exact, not willing to see that the petitioner is progressing in his life, protested against the very justifiable - action of the working up of the petitioner in connection with the hereditary right of the Eeswara Devara Temple in effecting the support of a Nanda Deepam therein, with a malicious intent, to the Deputy Commissioner, Chitaldroog District, who without holding any enquiry, without giving any opportunity to the petitioner to explain the exact - situation of the Temple property in question and under - reference, and without looking into the entire records - of the affair, unjustifiably ordered, mainly relying on the biassed opinions and erroneous reasons expressed on such a representation as was made to him by the petitioner's enemies, that the said land be ordered to be sold away by auction on gutta tenure; and the petitioner is very much afraid of the freightful order, a copy of which is herewith appended, for kind perusal. Hence his appealing to your - honour for redress.

5. That against this unjustifiable order of the - learned Deputy Commissioner, the petitioner preferred an appeal to the Hon'ble the Revenue Commissioner, and prayed therein that the order appealed against may be set aside - and that pending the disposal of the appeal petition, an

order

causing the stay of execution of proceedings of the said auction sale in the order of the Deputy Commissioner now appealed against may also be kindly favoured to the petitioner.

6. That it is very clear from the above facts that the order of the learned Deputy Commissioner is one-sided and that it is quite detrimental ~~either~~ to the interests - vested in the person of the petitioner, and his ancestors before, from time immemorial, as a hereditary hukdar or to the principles of justice exercised in this benign Government of His Highness the Maharaja of Mysore, as well as from the fact, in the order of the Deputy Commissioner, that the temple is in a very dilapidated condition and that the petitioner is not taking the least care of it, in its affairs, - as all these allegations are quite false and untenable, as will be evident from the exact situation of the Temple that it is built of pure stone slabs, which do not at all require any repairs, in very old days, and which come under the - famous Chola Pratishtha, as will well be viewed from a personal inspection of the temple, as the mere out-look of the - temple will itself represent to the viewer's eyes that the - temple is as quite afresh and anew as it was from its very early days.

7. That if at all the petitioner is asked to do any repairs to the said temple, he is quite ~~at liberty~~ ready to do - them and that he has not at any time herebefore taken himself aback in so coming forward to do any such work in connection with the said Temple, if at all he is asked to do so.

W H E R E F O R E it is most earnestly and most respectfully prayed that your honour will be graciously pleased to kindly send for the entire records that are now remaining

in

13)

remaining in the office of the Hon'ble the Revenue Commissioner, and to thus be pleased to kindly go through them, and thus taking the few facts cited therein and above into your kind and sympathetic consideration, - protect him by issuing an early stay order causing the proceedings in the execution of the auction sale of the hereditary right of the poor but pitiable petitioner, - and to consequently cancel the auction sale itself, so unjustifiably ordered by the Deputy Commissioner;. this will surely benefit him with means of livelihood, for - which he is struggling hard in these hard days of starvation. As otherwise it will be very difficult for him, if he is made helpless, to eke out his very means of - livelihood, which, he is making out from the hereditary huk, which is now under struggle, in his old days.

For which act of your kindness, he shall, as in duty bound, ever remain grateful.

BANGALORE,
8th Aug.16.

Petitioner.

P.S:-

The endorsement kindly favoured to him yesterday, is herewith appended for your kind - perusal.

2 D/5

(14

G. R. S. 26]

SUBJECT. (Inward for report with records, the appeal petition of Pujari Turuvappa of Lokikere village, Davangere Taluk)

Diary No of letter replied to _____

Section VII
File No. 115-16
Serial No. 2

General and Revenue Secretariat
( )
, the 191 .

No. 574 Enc 5

Date of issue 22. 8. 1916.

Signed by Mr G. Narasimmangar

To

The Dy Commr,
Chitaldrug Dist

Sir,

I am directed to forward herewith for report with (with its Enclosure) records, petition registered no. 283 Dy 8th August 1916 from Pujari Turuvappa of Lokikere Village in the Davangere Taluk appealing against the Dy Commissioner's order

over.

8/1/22

15)

directing the disposal by
open competition of the lease
of inam survey no 202
endowed to Eswara Devaru
temple in the village, and
to request that the execution
of the ~~Dep. Commrs.~~ order
appealed against, may be
stayed pending the
disposal of the appeal
by Govt.-

I have etc.
Sd
21. 8. 16
for Secl- Secretary.

AVT
8/9
11/8

List of enclosures.

Copied by

Examined by

GPB—20 000—14 2 14

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

No 575 dt 23-8-916.

[illegible]

[illegible]

[illegible]

GPR—50,000—25-9-15

1916 SEP 1916

From The Deputy Commissioner,
Chitaldrug District

DIARY No 423

19 16-17
SE[illegible] Mud
115-16
SERIAL NO. 3

To The Secretary to Government of H. H. the Maharaja of Mysore
General Department,

Dated 2nd September 1916 Bangalore.

Despatched

Received

~~General No.~~ Reference C. no. 122 Mud of 16-17
No.

Enclosure No. { 1 file of Vernacular records & one petition with its 4 enclosures.

Submitting report re- the disposal ~~made~~ by open competition of the lease of Inam land in Haji S no 202 (Re-S. no 211) measuring 14 a 11 G. endowed to - Eswaradevaru temple at Lokikere, Davangere Taluk.

19)

Office of the Deputy Commissioner,
Chitaldrug District.
Dated Chitaldrug, 2nd September 1916.

From

C. S. Balasundaram Iyer Esquire B.A.,
Deputy Commissioner,
C H I T A L D R U G.

To

D. M. Narasinga Rao Esquire B.A.,B.L.,
Secretary to the Government of
H. H. the Maharaja of Mysore,
General Department, Bangalore.

S I R,

With reference to your letter No.574/Muz.115-16-2 dated 22nd August 1916 forwarding for report with records petition registered A No. 283 dated 8th August 1916 from Pujari Turavappa of Lokikere village in the Davangere Taluk appealing against this office order directing the disposal by open competition of the lease of inam survey number 202 endowed to Eswara Devaru temple in the village and requesting that the execution of the order appealed against may be stayed pending disposal of the appeal by Government, I have the honor to report as follows:- Maji survey number 202 in question (Re-survey No.211) measuring 14 acres and 11 guntas assessed at Rs 11 with a jodi of Rs 7 has been endowed to the Eswaradevaru temple at Lokikere as an inam for Nandadipam.

2. On 30th November 1909 Kammara Nagalingappa and some other residents of Lokikere petitioned the Amildar of Davangere Taluk, B stating that for the inam land in question which had been given out for an annual supply of only four maunds of oil for Nandadipam, Karegowdara Kenchappa was willing to pay Rs 20 in addition to the supply of the said quantity of oil and the payment of jodi on the land, so that arrangements might be made for the Diparadane and savas as well, This was sent to the Shekdar of Hadadi for enquiry report as to whether there were any others who would pay more the temple and whether the cultivator of the land viz,

petitioner Turuva was willing to pay the same amount of profit as others would do and retain the land for cultivation. On 29th January 1910 in his statement before the Shekdar, Turuva (petitioner) refused to pay Rs 25 as offered by Karegowdara Kenchappa and to give up the land on the ground that it was in his possession from a long time.

3. on the 20th March 1910, Karegowdara Kenchappa and other residents of Lokikere petitioned the Deputy Commissioner stating that as Turuva was supplying only oil to the temple, they would pay Rs 25 annually in addition to the supply of oil for Dipam in the temple and that the land might be leased out to any one of them on that condition.

4. On the following day i,e, 21st March 1910, Turuva presented a petition to the Deputy Commissioner stating that, with a view to deprive him of the land on account of some zid, some of the residents had petitioned the Deputy Commissioner and that he might be allowed to retain the land undisturbed. Thereupon on 30th March 1910, the then Deputy Commissioner Mr. Chengiah Chetty in forwarding both the aforesaid petitions to the Assistant Commissioner, Davangere Sub-Division, in his yadi No. 1177, ordered that if the petitioner Turuva paid Rs 20 annually in addition to the supply of 4 maunds of oil, as he had agreed to do so in his presence at the time of the Jamabandi, and executed a bond accordingly, he might be allowed to retain the land and that if he failed to do so, the land might be leased out to any other person, as prayed for by the ryots for a period of 10 years. When this order was communicated to Turuva (petitioner) on 25th September 1910, he again in his statement before the Shekdar, declined to pay anything in excess of 4 maunds of oil. It was further reported by the Shekdar in his No.259 dated 10th December 1910 that Turuva was one of the pujaries of Beredevaru, that he was not the pujari of the Eswaradevaru temple to which the land in question has been endowed as an inam and that one Basappa, a Lingayet was doing the puje in the latter temple.

5. On 2nd February 1911, Karegowdara Kenchappa again petitioned the Sub Division Officer of Davangere promising to take up the

land on payment of a profit of Rs 25 annually to the temple.

6. The Mahazar of the 22nd September 1911 showed that previous to the petitioner Turuva, one Kalle Bhimappa was cultivating the land in question for a period of 2 or 3 years. Again on 10th November 1911 the Amildar issued an order to the Shekdar directing that if Turuva declined to pay Rs 20 annually in addition to supply of oil and payment of jodi on the land in obedience to the orders of the Deputy Commissioner, the land in question might be leased out by public auction taking Karegowdara Kenchappa's offer of Rs 25 as the first bid. Subsequently on the 1st December 1911 Turuva again petitioned the Sub Division Officer of Davangere contending that there was no reason to demand any profit from him, and that if the quantity of oil supplied by him was found insufficient for dipam, he would supply a little more quantity of oil, if the Government consider it necessary. This petition was sent to the Amildar for report with the records.

7. The Amildar in submitting the records with his report No. 404 dated 26th December 1911 recommended the case for reconsideration of the orders already passed and the Sub Division officer forwarded the records for the orders of the Deputy Commissioner.

8. Thereupon Mr. Chandy, the then Deputy Commissioner observed that as Turuva had failed to act up to his agreement before the former Deputy Commissioner viz to the payment of Rs 20 in addition to the supply of oil, much value could not be attached to his statement and that as the temple was very badly in need of repairs, it was very necessary to keep it in good condition and ordered that if the petitioner Turuva was willing to repair the temple at his own cost, a statement to that effect might be obtained from him and submitted for orders.

9. In his statement before the Amildar on the 11th March 1912, Turuva agreed to execute at his own cost the necessary repairs to the temple and wanted an estimate to be prepared and given him. Accordingly estimate for Rs 174 was prepared on the 13th May 1912. But Turuva cuted the repairs nor did he pay Rs 20 in addition to the

supply of 4 maunds of oil. He evaded the carrying out of his agreements.

10. On the 17th August 1915 when the Amildar of Davangere Taluk went to Lokikere to enquire into the matter, the petitioner Turuva who was seen in the village on the morning disappeared when sent for by the Amildar for his examination and although the Amildar waited for him in the village for a day Turuva never made his appearance.

11. From the above it is quite clear that the petitioner Turuva has all along failed to carry out his agreements and evaded payment of anything more than a mere supply of 4 maunds of oil. Had he paid Rs 20 annually from 1910 as per his agreement before Mr. Chengiah Chetty, there would have been an income of nearly Rs 100 to the temple by this time. On the contrary he has not only failed to make the payment himself but also has by his evasions put obstacles in the way of realisations from others to the temple.

12. Besides the land in question is an inam endowed to the Eswaradevaru temple for nandadipam as already stated above and not an inam granted to the petitioner.

13. I therefore ordered on the 11th January 1916 that the land be leased out by public auction for a period of 5 years. Subsequent to this on the 2nd February 1916, Turuva presented a petition to this office praying for a reconsideration of the aforesaid order and on the 9th idem he was given an endorsement rejecting his petition. He has now appealed against this order.

14. As per orders the right of cultivating the land for a period of 5 years has since been put up to public auction on the 20th May 1916 and the highest bid received therefor is reported to be Rs 68 per annum in addition to the supply of oil for depam and the payment of jodi to Government. I have therefore confirmed the sale and returned the sale records to the Sub Division Officer for further action immediately as the condition of the sale was that the lease was to commence from the current year and as the purchaser also had petitioned that unless he was put in possession of the land before

the cultivating season was over he could not be liable for the current year's rental.

15. The other records containing the order appealed against received with the Revenue Commissioner's App: D.Dis.No.3 of 1916-17 are herewith forwarded for reference and kind return.

16. As regards the staying the execution of this office order pending disposal of the appeal as directed in the letter under reply, I beg to state that for reasons mentioned in para 14 supra, as orders were issued in July last confirming the sale, I have directed the Sub Division Officer to stay further proceedings if the purchaser has not yet been put in possession of the land as per previous orders, if otherwise it would not be desirable to prevent the purchaser from raising the crop if he has already obtained the possession of and cultivated the land.

17. The enclosures received with the letter under reply are herewith returned.

I have the honor to be,

S I R,

Your most obedient servant,

Deputy Commissioner,

Chitaldrug District.

S.V.

GPB—50,000—25-9-15

(24

1916.

GEN. & REV. SEC. 27 SEP 1916

From The Deputy Commissioner,
Chitaldrug District.

DIARY No. 548

To The Secretary to the Government of
H. H. the Maharaja of Mysore
General Department

Dated 26. 9. 1916 Bangalore.

Despatched — do — .

Received

~~General No.~~ Ref. C. no. 122 Misc of 16-17.
No.

Enclosure No.

---

stating that the purchaser of Inam S. no. 202 endowed to the Eswaradevaru temple at Lokikere Village in the Davangere Taluk has already taken possession of the land & cultivated the same before the receipt of "Stay" order.

10 Mis 17
SECTION Misc
FILE No 45-16
SERIAL No. 3

(85)

Office of the Deputy Commissioner,
Chitaldrug District.
Dated Chitaldrug, 26th September 1916.

From

C. S. Balasundaram Iyer Esquire B.A.,
Deputy Commissioner,
C H I T A L D R U G.

To

D. M. Narasinga Rao Esquire B.A.,B.L.,
Secretary to the Government of
H. H. the Maharaja of Mysore,
General Department, Bangalore.

S I R,

In continuation of this office letter reference on C. No. 122 Muz, of 1916-17 dated 2nd September 1916 submitting the records relating to the lease of Inam survey No. 202 endowed to the Eswaradevaru temple at Lokikere village in the Davangere Taluk in connection with the appeal preferred by Pujari Turuva against this office order, I have the honor to state that the purchaser has already taken possession of the land and cultivated the same before the receipt of the "stay" order.

I have the honor to be,
S I R,
Your most obedient servant,
C S Balasundaram Iyer
Deputy Commissioner,
Chitaldrug District.

S.V.

(24

G.R S 26]

SUBJECT Calls for an extract of the Inam register.

Diary No. of letter replied to 423

Section Inam
File No. 115
Serial No. 76/4

General and Revenue Secretariat
( )
, the 191 .

No 818

Date of issue 16 10 1916.

Signed by M.V Ramamurthy for

To The Superintendent of Inam Settlements,

Sir,

I am directed to request that you will be so good as to furnish this office with an extract of the inam register pertaining to the grant (Rasoovoy No. 211) of original Dry S. No. 202 of Lokikere village, Hatti Hattadi hobli in the

over.

2)

Dharmapore Taluk ~~granted~~
maintaining
for Vaidyadeepam of in the
temple
Eswara Dharma of the
Village.

I have etc.

for V.T.O.

for Secretary.

1951)

89
9/9

List of enclosures.

Copied by

Examined by

GPE—20,000—11-2 14

(24

WD 067—GPB—200—20-4-16

No.
Enc.

OFFICE OF THE SUPERINTENDENT OF
INAM SETTLEMENTS IN MYSORE.

Dated Bangalore, 31st October 1916.

DIARY No. 687

FROM

D. K. DARASHAH, ESQ., B.A.,
Superintendent of Inam Settlements in Mysore,
Bangalore.

To

D. Dr. Narasinga Rao, Esqr., B.A., B.L.,
Secretary to the Government of
H. H. the Maharaja of Mysore,
Genl. *Department.*

SIR,

As requested in your letter No 818/Inam 115.16.6 dated 16th October 1916, I have the honor to forward herewith a copy of the Inam Settlement register pertaining to the grant of S. No: 202 of Lokikere village, Davangere Taluk for maintaining Nandadeepam in the Eswaradevam Temple.

I have the honor to be,
Sir,
Your most obedient Servant
D K Sharadah
Superintendent of Inam
Settlements in Mysore

Register Sheet No 2.

Village - Lorkere

Hagani - Kathundi

Taluk - Davanagere

District - Chitaldrug

Copy of the
Register of Inams in the village of Lokukere in the

CLASS, EXTENT AND VALUE OF INAM

Number of case or entire holding under one grant in this village	General class to which the Inam belongs	Survey No. and name of field or fields comprised in the grant Dry, wet or garden	Extent Local measure Even where the local measure is in acres guntas, and annas, it is to be entered in this column	Extent Measure in acres and their fractions in decimals
1	2	3	4	5
3	Devarayya	Dry No 202	$12\frac{25}{32}$ Cood = 8.45	14.28

(51

Samınat of Kathadi in the Taluk of Dharwar

		DESCRIPTION, TENURE AND	
Old assessment	Survey assessment	Description of Inam If for service, it is to be stated whether the service is continued. If for tanks, buildings, etc., whether they are efficiently kept up Hereditary or for life	Whether free of tax, etc., or liable to quit-rent, *i e.*, jodi, etc., amount of latter to be entered
Where no survey has been made and no assessment fixed by Government, the cess paid by the raiyats to the Inamdar, or the average assessment of similar Government land, should be entered in column 7			
6	7	8	9
16-5-10	8.	For the Support of the Inamdar deepam of Eswaradevaru of the village Temple said to be in good order, and deepam kept up.	Old. jody 4-5-10 Survey do 6-12-0

in the District

DOCUMENT IN SUPPORT OF THE INAM

By whom granted and in what year	Written instruments in support of the claim, or mutilated ... as to form, documents, and other proofs of long possession. In this column it should be stated whether the Inam is held with or without grant, whether the grant is produced or lost, etc., and the general specification of terms of all documents produced should be given.
10	11
Unknown	None

of

NAME AND RELATIONSHIP OF ORIGINAL GRANTEE AND

Name of original grantee	Name entered in the register prepared by Poorniah up to 1810	Name entered in the accounts subsequent to 1810
12	13	14
Unknown	—	Swarupa Inamty accounts 1838. Eswaradevarii $12\frac{25}{32}$ Coord 1841 Same $12\frac{25}{32}$ Coord Survey gooy account 1865 Same 14 ac. 11 Guntas

34)

of the

OF SUBSEQUENT AND PRESENT HOLDERS.

Particulars regarding present owner. If the inam has been sub-divided, the name, etc., of each sharer should be entered in the columns.			
Residence, name and age, etc.	Relation to original grantee or subsequent registered holders	Surviving heirs of the present incumbent	If unconnected with the original holders, possession how obtained, and in what year
15	16	17	18
Lokasheere Eswaradevaru In. B The villagers administer the temple affairs The land is enjoyed by the Poojary Jowrah.			

Division

GPB – 00–2J 7.0c

LENGTH OF POSSESSION

Abstract of the orders already issued by the Commissioner or the Superintendent of the Division on lapses regarding validity or excess of the Inam Assistant's opinion and recommendation	Review by ~~the Special Assistant and confirmation by the Inam Commissioner~~
19	~~20~~

In the Swudpa accounts, this Inam is mentioned as having been continued from Lagayet (time immemorial) without Jody, the 1828, Amildar not thinking it right to allow an Inam not recognized in the Jarry accounts, assessed it with 5 fanams, as Jody and in 1835, the Jody was raised to 15 fanams. The undisturbed prescription enjoyment of the land for so long a time is beyond all doubt true.

Originally the land forming the Eswaradevar Inam was only cords 12 & 6/4 Seers, berij Rs 16-5-10 and Jody Rs 4-5-10. Beside this field there was another Sirkar field owned by the same Ryot, Toorvah. In the Chittahs the former was invariably designated "Roundadeepada hola," and the latter as lying on the road to Gopinhaud. Subsequently in 1857, both were, either by overlight or intentionally, called "Roundadeepada hola", at the Survey, as the same Ryot held both the fields, they were jumbled out into one number and put down as Jody field recent acquisitions as the Swudpa Inam lands more or less are, the extra land is clearly an addition made so late as 1857

But as it has been settled since that one half should be granted

36) Column 9 continued

grounded for encroachments and Inams. I think this will have to be dealt with according to that provision

Recommended to be confirmed subject to 1/8 cui + existing jody. or Rs 7.

22-9-68 (Signed) V. R. Narasimmyengar
Assistant

The subsequent accretion was cirkar land, and not part of the ~~field~~ old Inam. The jody of the Inam was Rs 4-5-10 and the full assessment on the Government land was Rs 2-5-3. As both the lands been mave into one field, and entered as jody. The combined jody became Rs 6-12-0. The first amount in column 9 represents the original value of the Inam.

It will thus be seen that the proposed Link Rent covers the full assessment of the cirkar land.

This field was formerly composed of 2 fields
The Inam measured 12 coond 5¼ seers = 8.45
The cirkar — do — 1 coond 7 — do — = 1.24
9.69

The present area of the field is 14.28. Toorva who was present did not object to the settlement.

(Instd) V R. Narasimmyengar
Assistant.

13-10-68.

Review by the Special Assistant and confirmation by the Inam Commissioner.

20

The remarks in the preceding column show that there was a fraudulent addition of a cirkar field cultivated by Ryot Toovvah, which was mentioned in the Chittah as lying on the road to Gopinhaud to the Inam of the Iswaradevarm of the extent and value mentioned in the Swalpa Inami accounts. The Ryot Toovvah who also happens to be the poojari of the pagoda, does not appear to have been asked whether the field alleged to have been fraudulently added to the Inam was a portion of the Inam itself or his cirkar land. In the latter case it should be deducted from the Inam and transferred to the list of the cirkar lands and restored to Toovvah on Cumdayempattah. But if he says that the land under reference was a part and portion of the Devarm Inam, the assistant's settlement can be confirmed. One more point does not appear to have been noticed by the assistant; whether the old jody raised by the Survey Rs 6-12-0 had any reference to this fraudulent acquisition for the addition to the

Jody

38)

(Column 20 continued)

Jody (not clear in origine) not a more increment in rejecti
fractions. Information on these points I think are
(not clear in origine) ..... the Assistant
Under this explanation, may be confirmed
If the Ryot Inam raises no objection the Govern-
ment interest are not in ~~many~~ any way affected.

[Initialed] B. Gopalaiah
Special Assistant.

20-10-68.

Confirmed Subject to a Quit Rent of Rupees 7.

[Signed] T. Clark
Inam Commissioner

30th October 1868.

bdmp

Superintendent of Inam
Settlements in Mysore

Inam Supdts Office
Bangalore
October
1916

Compd HS.

1 NOV 1916 1916.

FROM

THE SUPERINTENDENT,
INAM SETTLEMENTS IN MYSORE.

To

THE SECY. TO THE GOVT. OF
H. H. THE MAHARAJA OF MYSORE,
Genl DEPT.

Dated } 31st Oct 16
Despatched }

No. 48

Enc. one

SUBJECT.

Regarding the grant of S. No. 202 of Lokikere village, Davangere Taluk

G. R. S. Vl—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to .. ..

GENERAL AND REVENUE SECRETARIAT

( )

, *the* 191 .

Date of issue.....

Signed by.....

Section

File No.

Serial No.

No.

To

circular order

In connection with a number of cases that have recently come up to Govt. for decision it is brought to notice that ~~the Govt. observe that~~ in certain localities an objectionable practice ~~has been brought to notice~~ appears to have come prevail to ~~exist in certain~~ localities, of leasing lands belonging to Inamai institutions for indefinite periods, a practice which should be put stop to ~~by issuing orders to the effect that such leases should not be renewed on the present terms~~

Govt observe that the case (appeal no 7 of 1916-17) relating to inam survey no. 202 endowed to the ~~Lokikara~~ Eswara Devasthanam Temple in village of Lobisara the Davangere Taluk, clearly illustrates the danger of leasing lands belonging to Inamai institutions for no definite periods, a practice which should be put stop to

over.

~~which has come to notice from time to time~~ ~~by issuing orders to the effect that such leases should not be renewed on the present terms~~ pray is drawn to the inherent ~~by the institutions~~

40)

~~well in the interests of the institutions concerned.~~

The Dy. Comrs of Districts are ~~hereby directed~~ therefore requested to ~~take~~ take action to renew the leases by putting them up to auction, if the periods have expired.

This practice should be a step towards and no doubt ordinarily be — more than five years at the Sr. centres & Dr. are to institute an enquiry

Submitted — may the order be issued? Yes.

into any in depicit that may not be ~~and take suitable action~~ & ~~likewise~~ and take suit — action for renewing for depicit periods when best advantage of the institution concr

A report on the latter is ~~requested~~ at the end of ~~the~~ year.

DST
To, Joint Secy. WS 30/7/17 am
The Dy. Comrs of Dts (
& Secy. Supdt in Mysore

~~for info~~ for information.

List of enclosures.

Copied by

Examined by

(G)

1/41

Before the Government of His Highness the Maharaja of Mysore.

Appeal No. 7 of 1916-17

Appellant.	Vs.	Respondent.
Pujari Turuvappa of Lokikere Village, Davangere Taluk.		Kanegowdara Nanjundappa.

Subject.

Appeal against the order of the Dy. Commr., Chitaldrug Distt., directing the disposal by open competition, of the lease of inam S. no. 202 endowed to the ~~Lokikere~~ Eswara Devaru (temple) in the (Lokikere village) Davangere Taluk.

Order

The case was heard by Court on 21st November 1916, The appellant was represented by his Advocate Mr. M. Q. Vasu

23/6/17

GPE—500—12-6-16

and the respondent was present in person.

The land in question is a Devadaya Dhana endowed to the temple of Eswara Devam for the maintenance of Nanda Deepa in the said Temple. The appellant who was allowed some years ago to cultivate the land and supply 4 Nanos of oil to the Temple for the maintenance of the Nanda Deepa now attempts to establish his undisturbed prescriptive right to the land in question and questions the right of the authorities to renew the lease by putting it up to public auction or dealing with it otherwise. The leasing of the land to him for no fixed period does not

entitle him to claim the land as his personal inam to the prejudice of the institution. He is at best a Tenant-at-will and must be prepared to quit whenever called upon to do so. More than one opportunity was given to him to renew the lease by raising the ridiculously low "patta" he has been paying to the temple for some years past but he failed to avail himself of this. The interests of the temple are paramount and should be carefully safe-guarded.

The action taken by the Dy. Commr is in consonance with this view and must be upheld - The appeal is

(P.T.O

44

dismissed.

Memo no 320 Dy [illegible]

Dated 11.8.16.

Copy to the Dy. Commr, Chitaldrug Dist., with the Vernacular records received with his letter no. 122 Dy 2nd Septr 1916

B-O.

Jt Secy.

Dy 28/7/17

28.7.17

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

446. Exc 4 dt 20.8.917

N 447 dt 20. 8. 917

46

B. O.

6/8/17

D(2)

Project Asstt Secty
am
16/8/17

2 25/8

(11)

G. R. S. VI—G/32]

SUBJECT..... Deprecating the present practice of leasing out temple lands for indefinite periods.

Diary No. of letter replied to .....

Section VII
File No. 115-16
Serial No. 8

GENERAL AND REVENUE SECRETARIAT
( )
, *the* 191 .

Order No. 517-25

Date of issue 29-8-917

Signed by M. S. Sadasiva Rao

~~To~~

In connection with a number of cases that have recently come up to Govt for decision it is brought to notice that in certain loc an objectionable practice prevails of leasing lands belonging to Muzrai institutions for indefinite periods, a course which is highly prejudicial to the interests of the institution This practice should be put a stop

over.

(12)
28/8

stop to at once and no-
ases should ordinarily be
granted for more than five
years at a time.

The Deputy Commrs of
Districts are requested to
institute an enquiry into
any indefinite leases that
may now be current and
take suitable action for
renewing them for definite
periods to the best advantage
of the institution concerned.

A report on the action
taken is requested at the
end of this calendar year.

May be printed & translated
Asst

W&L 24/8/17

List of enclosures.

DO
for Joint Secy to Govt
Mysore Dept

fair draft
Asst
21/8

DO
21/8
Asst
21/8/17

L

The Deputy Commrs of Districts
The Mysore Supdt in Mysore

Copied by

Examined by

W D86--GPB--60,000--15 11 16

(117

517-25/Murray 115-[illegible]-8

29

[illegible]

[illegible]

[illegible]